

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**1:07cv739**

**DAVID F. EVANS, *et al.*,**  
**Plaintiffs,**

**v.**

**THE CITY OF DURHAM, NORTH CAROLINA**  
***et al.*,**  
**Defendants.**

**Re-submission of Document  
Number 184 - Motion to Dismiss  
remaining Causes of Actions 1, 2, 3,  
13, 14, Against Defendant Linwood  
Wilson As a result of the recent 4<sup>th</sup>  
Circuit Court of Appeals rulings  
and The United States Supreme  
Court denial to hear this case.**

**NOW COMES** Defendant Linwood Wilson in resubmitting Doc. 184 Motion to Dismiss remaining Causes of Actions: 1, 2, 3, 13, and 14, against Defendant Linwood Wilson as a result of the recent 4<sup>th</sup> Circuit Court of Appeals rulings and the recent denial by the US Supreme Court.

**PRAYER FOR RELIEF**

HEREBY, Defendant Linwood Wilson prays the Court that all causes of action against Defendant Wilson must be dismissed because they are either insufficiently pled, barred by the doctrine of absolute immunity, qualified immunity, or both. Accordingly, Defendant Wilson respectfully moves this Court to dismiss all claims with prejudice.

Respectfully submitted, this the 14<sup>th</sup> day of November 2013.

By: /s/ Linwood E. Wilson  
Linwood E. Wilson  
*Pro Se*

CERTIFICATE OF ELECTRONIC FILING AND SERVICE

The undersigned hereby certifies that, pursuant to Rule 5 of the Federal Rules of Civil Procedure and LR5.3 and LR5.4, MDNC, the foregoing pleading, motion, affidavit, notice, or other document/paper has been electronically filed with the Clerk of Court using the CM/ECF system, which system will automatically generate and send a Notice of Electronic Filing (NEF) to the undersigned filing user and registered users of record, and that the Court's electronic records show that each party to this action is represented by at least one registered user of record (or that the party is a registered user of record), to each of whom the NEF will be transmitted.

This the 14<sup>th</sup> day of November 2013.

By: /s/ Linwood E. Wilson  
Linwood E. Wilson  
*Pro Se*